IN THE CLAIMS

Please amend the claims as follows:

1.   (Currently Amended) An application execution system, comprising:

a position monitoring module;

a mobile element associated with a position capable of being monitored by the position monitoring module, the mobile element having a memory including a set of user service preferences including a first service preference;

a service broadcaster capable of being communicatively coupled to the mobile element and broadcasting a second service preference to the mobile element <u>based on the position of the mobile element, the service broadcaster including a first comparator module configured to filter the second service preference based on preferences received from the mobile element</u>; and

a <u>second</u> comparator module included in the mobile element to compare the first and second service preferences, wherein an application is downloaded to the memory when the first and second service preferences are determined to be related by the comparator module.

2.   (Original) The application execution system of claim 1, wherein the position monitoring module includes a software program.

3.   (Canceled)

4.   (Original) The application execution system of claim 1, further comprising:
a global positioning system receiver communicatively coupled to the position monitoring module.

5.   (Previously Presented) The application execution system of claim 1, wherein the mobile element includes a memory, and wherein the service broadcaster includes the application associated with the second service preference.

6.   (Canceled)

7.   (Previously Presented) The application execution system of claim 1, wherein the mobile element comprises a personal internet client.

8.   (Previously Presented) The application execution system of claim 1, wherein the mobile element comprises a cellular telephone.

9.   (Previously Presented) The application execution system of claim 1, wherein the second service preference comprises a hotel list file.

10.   (Original) The application execution system of claim 1, wherein a plurality of list files related to the set of user preferences is broadcast to the mobile element.

11.   (Original) The application execution system of claim 10, wherein the plurality of list files is formatted as a selection list.

12.   (Original) The application execution system of claim 11, wherein the selection list includes a selected number of items determined by the position.

13.   (Original) A mobile element, comprising:

a position monitoring module capable of monitoring a position associated with the mobile element;

a first memory including a first service preference, the memory capable of receiving a second service preference determined by the position; and

a comparator module communicatively coupled to the memory to compare the first and second service preferences.

14.   (Original) The mobile element of claim 13, further comprising:

a global positioning system receiver communicatively coupled to the position monitoring module.

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Serial Number: 09/955,510   Dkt: 884.552US1
Filing Date: September 18, 2001
Title: APPLICATION EXECUTION METHOD AND APPARATUS

15.   (Currently Amended) The mobile element of claim 13, ~~wherein the service broadcaster~~ further includes an application associated with the second service preference, and wherein the application is downloaded to the memory when the first and second service preferences are determined to be related by the comparator module.

16.   (Currently Amended) An apparatus, comprising:

    a processor;

    a memory coupled to the processor ~~for receiving~~ and configured to receive a position of a mobile element and a first service preference associated with the mobile element[[;]], the [[a]] memory ~~coupled to the processor~~ including a second service preference associated with the position; ~~and~~

    a comparator module included in the apparatus to compare the first and second service preferences; and

    an application associated with the second service preference, wherein the application is downloaded to the mobile element when the second service preference is determined by the ~~mobile element~~ comparator to be related to a first service preference stored in the mobile element.

17.   (Canceled)

18.   (Original) The apparatus of claim 16, further comprising:

    a memory for receiving a set of capabilities associated with the mobile element.

19.   (Original) The apparatus of claim 18, wherein the application is not downloaded to the mobile element if the set of capabilities associated with the mobile element is not in accordance with a set of application requirements associated with the application.

20.   (Currently Amended) A method of executing an application, comprising:

determining a position of a mobile element <u>using a position monitoring module provided within the mobile element</u>; and

selecting a second service preference associated with the application according to the position and a first service preference retained in the mobile element, wherein the application is downloaded <u>from a service broadcaster</u> to the mobile element upon the mobile element determining <u>using a comparator</u> that the first service preference is related to a second service preference.

21.   (Original) The method of claim 20, further including:

broadcasting the second service preference to the mobile element;

requesting broadcast of the application; and

broadcasting the application to the mobile element for downloading and execution by the mobile element.

22.   (Original) The method of claim 20, further including:

storing the first service preference in the mobile element.

23.   (Original) The method of claim 20, further including:

sending a set of capabilities associated with the mobile element to a service broadcaster; and

refraining from broadcasting the application to the mobile element if the set of capabilities associated with the mobile element is not in accordance with a set of application requirements associated with the application.

24.   (Previously Presented) The method of claim 20, wherein the second service preference comprises a hotel list file.

25.   (Currently Amended) A computer readable medium having program instructions stored thereon for implementing, when executed by a digital processing device, a method for executing an application, said method comprising:

determining a position of a mobile element <u>using a position monitoring module provided within the mobile element</u>; and

selecting a second service preference associated with the application according to the position and a first service preference retained in the mobile element, wherein the application is downloaded <u>from a service broadcaster</u> to the mobile element upon the mobile element determining <u>using a comparator</u> that the first service preference is related to a second service preference.

26.   (Original) The computer readable medium of claim 25, wherein the method further comprises:

broadcasting the second service preference to the mobile element;

requesting broadcast of the application; and

broadcasting the application to the mobile element for downloading and execution by the mobile element.

27.   (Original) The computer readable medium of claim 25, wherein the method further comprises:

sending a set of capabilities associated with the mobile element to a service broadcaster; and

refraining from broadcasting the application to the mobile element if the set of capabilities associated with the mobile element is not in accordance with a set of application requirements associated with the application.